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EXAMINER

LAMBRECHT, CHRISTOPHER M

ART UNIT

PAPER NUMBER

2611

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/731,705

Applicant(s)

INOUE, TATSU

Examiner

Christopher M Lambrecht

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-6 and 13-15 and have been considered but are moot in view of the new ground(s) of rejection.
2. Claims 7-12 have not been amended with the "form of cells" limitation as argued in Applicant's remarks; therefore, Applicant's arguments with respect to these claims are moot and claims 7-12 stand rejected as set forth in the previous Office action.

### ***Claim Objections***

3. Claim 15 is objected to because of the following informalities: On line 19 of claim 15, the text --by-- should be inserted immediately following the word "selected". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 7 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Lemmons '768 (of record).

With regard to claim 7, Lemmons '768 discloses a program guide displaying apparatus (set top box 70, fig. 1) and corresponding method comprising: a program information obtaining device (set top box 70, fig. 1, detail, see fig. 2) for obtaining program information (col. 6, ll. 48-50) including information indicative of a program name (title, col. 6, ll. 13-16), a genre name (theme, col. 6, ll. 13-16), a start time (telecast time, col. 6, ll. 13-16), a length of a program (length of program cell, col. 7, l. 67 –

Art Unit: 2611

col. 8, l. 6), a broadcasting channel (telecast call sign, col. 6, ll. 13-16), and a broadcasting date (col. 6, ll. 28-31) or respective one of a plurality of programs; a setting device (favorite channel display mode, col. 17, ll. 47-49) for setting a specific condition with respect to at least one of a time and a channel of the program (used to designate one or more channels as "favorite" channels of the user, col. 17, ll. 47-49); and a displaying device (display 84, fig. 2) for displaying a first program table (guide screen 100, fig. 3), in which a plurality of program information for the programs are displayed in a 2-dimension of a time axis (time bar 102) and a channel axis (channel bar 108) (col. 8, ll. 43-57), and a second program table (200, fig. 7), in which the plurality of program information for the programs are edited for each genre (search selection criterion, e.g., drama, action, science fiction, etc., col. 14, l. 65 – col. 15, l. 15), such that a portion (program descriptions 114, fig. 3, which include textual representation of genre code, e.g., "Drama" and "Adv") of each program within the first program table (100, figs. 3-6) and a portion (search selection criteria, 202) of each genre within the second program table are displayed in a common display manner which is differentiated for each genre (program descriptions 114 of first program table 100, and selection search criteria 202 of second program table 200, both display genre codes using textual representations such as "Drama", "Action", etc.) and that a portion of each program which satisfies the specific condition (i.e., favorite channel) set by said setting device is displayed in a manner different from that for a portion of each program, which does not satisfy the specific condition set by said setting device (where a favorite channel is displayed before a channel which is not a favorite channel in a list sorted according to the favorite channel function, col. 17, ll. 49-55).

As for claim 9, Lemmons '768 discloses the program guide displaying apparatus according to claims 1 and 7 (see above), wherein said displaying device displays the first program table (100, fig. 3) and the second program table (200, fig. 7) such that the portion of each program (program description 114, fig. 3) within the first program table and the portion of each genre (search selection criteria 202, fig.

Art Unit: 2611

7) within the second program table are displayed with the same pattern for each genre (i.e., using textual representations such as “Drama” and “Action”, see figs. 3 and 7).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-6, 8, and 10-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemmons ‘768 (of record) in view of Lemmons ‘011.

With regard to claim 1, Lemmons ‘768 discloses a program guide displaying apparatus (set top box 70, fig. 1) and corresponding method comprising:

a program information obtaining device (set top box 70, fig. 1, detail, see fig. 2) for obtaining program information (col. 6, ll. 48-50) including information indicative of a program name (title, col. 6, ll. 13-16), a genre name (theme, col. 6, ll. 13-16), a start time (telecast time, col. 6, ll. 13-16), a length of a program (length of program cell, col. 7, l. 67 – col. 8, l. 6), a broadcasting channel (telecast call sign, col. 6, ll. 13-16), and a broadcasting date (col. 6, ll. 28-31) or respective one of a plurality of programs;

a setting device (favorite channel display mode, col. 17, ll. 47-49) for setting a specific condition with respect to at least one of a time and a channel of the program (used to designate one or more channels as “favorite” channels of the user, col. 17, ll. 47-49); and

a displaying device (display 84, fig. 2) for displaying a first program table (guide screen 100, fig. 3), in which a plurality of program information for the programs are displayed in a 2-dimension of a time axis (time bar 102) and a channel axis (channel bar 108) (col. 8, ll. 43-57), and a second program table (200, fig. 7), in which the plurality of program information for the programs are edited for each genre

Art Unit: 2611

(search selection criterion, e.g., drama, action, science fiction, etc., col. 14, l. 65 – col. 15, l. 15), such that a portion (program descriptions 114, fig. 3, which include textual representation of genre code, e.g., “Drama” and “Adv”) of each program within the first program table (100, figs. 3-6) and a portion (search selection criteria, 202) of each genre within the second program table are displayed in a common display manner which is differentiated for each genre (program descriptions 114 of first program table 100, and selection search criteria 202 of second program table 200, both display genre codes using textual representations such as “Drama”, “Action”, etc.) and that a portion of each program which satisfies the specific condition (i.e., favorite channel) set by said setting device is displayed in a manner different from that for a portion of each program, which does not satisfy the specific condition set by said setting device (where a favorite channel is displayed before a channel which is not a favorite channel in a list sorted according to the favorite channel function, col. 17, ll. 49-55).

Lemmons ‘768 fails to disclose the common display manner that is differentiated for each genre, is a form of cells; and that the display manner that is differentiated for a program based on whether or not the program satisfies the condition set by said setting device is a display form.

In analogous art, Lemmons ‘011 discloses an electronic programming guide system in which a common display manner, which is differentiated for each genre, is a form of cells (genres are differentiated by color, col. 5, ll. 17-24); and a display manner that is differentiated for a program based on whether or not the program satisfies the specific condition (e.g., PPV channel, fig. 10) set by said setting device is a display form (color, “brown” for PPV channel, see fig. 10), for the purpose of allowing the user to quickly and easily recognize programming of a particular genre or satisfying a particular condition set by the user (col. 5, ll. 24-28).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the common display manner of Lemmons ‘768 to include a form of cells; and that the display manner that is differentiated for a program based on whether or not the program

Art Unit: 2611

satisfies the condition set by said setting device is a display form, as taught by Lemmons '011, for the purpose of allowing the user to quickly and easily recognize programming of a particular genre or satisfying a particular condition set by the user in a programming guide displaying system.

With regard to claim 2, Lemmons '768 and Lemmons '011 together disclose a program guide displaying device displays the first program table and second program table such that the portion of each program within the first program table and the portion of each genre within the second program table are displayed with a same color for each genre (see rejection of claim 1).

With regard to claim 3, Lemmons '768 and Lemmons '011 together disclose a program guide displaying apparatus according to claim 1 (see above) wherein said displaying device displays the first program table (100, fig. 3, Lemmons '768) and the second program table (200, fig. 7, Lemmons '768) such that the portion of each program (program description 114, fig. 3, Lemmons '768) within the first program table and the portion of each genre (search selection criteria 202, fig. 7, Lemmons '768) within the second program table are displayed with the same pattern for each genre (i.e., color, col. 5, ll. 17-24, Lemmons '011).

With regard to claim 4, Lemmons '768 and Lemmons '011 together disclose the program guide displaying apparatus according to claim 1. In addition, Lemmons '768 discloses said displaying device displays the first program table (100, fig. 3) and the second program table (200, fig. 7) such that the portion of each program (program description 114, fig. 3), which satisfies the specific condition, is displayed in a manner different from that for the portion of each program which does not satisfy the specific condition (where a favorite channel is displayed before a channel which is not a favorite channel in a list sorted according to the favorite channel function, col. 17, ll. 49-55).

Lemmons '011 further discloses each program which satisfies the specific condition (preference attribute) is displayed with a color different from that for the portion of each program which does not satisfy the specific condition (i.e., the preference attribute and its respective colors are associated as display criteria for use by the program guide, col. 5, ll. 17-24), for the purpose of providing visual emphasis to programming that meets the preferred criteria (col. 5, ll. 24-28).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the system of Lemmons '768 and Lemmons '011 to include each program which satisfies the specific condition is displayed with a color different from that for the portion of each program which does not satisfy the specific condition, as taught by Lemmons '011, for the purpose of providing visual emphasis to programming that meets the preferred criteria in a program guide display system.

With regard to claim 5, Lemmons '768 and Lemmons '011 together disclose the program guide displaying apparatus according to claim 1 (see above). In addition, Lemmons '768 discloses said displaying device displays the first program table (100, fig. 3) and the second program table (200, fig. 7) such that the portion of each program (program description 114, fig. 3), which satisfies the specific condition, is displayed in a manner different from that for the portion of each program which does not satisfy the specific condition (where a favorite channel is displayed before a channel which is not a favorite channel in a list sorted according to the favorite channel function, col. 17, ll. 49-55).

Lemmons '011 further discloses each program which satisfies the specific condition (preference attribute) is displayed with a pattern different from that for the portion of each program which does not satisfy the specific condition (col. 5, ll. 17-24 & col. 7, ll. 49-52, e.g., "solid" or "striped"), for the purpose of providing visual emphasis to programming that meets the preferred criteria (col. 5, ll. 24-28).



Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the system of Lemmons '768 and Lemmons '011 to include each program which satisfies the specific condition is displayed with a pattern different from that for the portion of each program which does not satisfy the specific condition, as taught by Lemmons '011, for the purpose of providing visual emphasis to programming that meets the preferred criteria in a program guide display system.

With regard to claim 6, Lemmons '768 and Lemmons '011 together disclose the program guide displaying apparatus according to claim 1. In addition, Lemmons '768 discloses said displaying device displays a first program table (100, fig. 3) and a second program table (200, fig. 7).

Lemmons '011 further discloses an overlapped portion of the portions displayed in different manners from each other (i.e., a program with two or more preference attributes, each associated with a different color, col. 9, ll. 43-50, e.g., one color associated with a particular genre, and another color associated with a particular actor) is displayed in a further different display manner (i.e., alternating stripes, or any other format for displaying two or more colors simultaneously, col. 9, ll. 55-58), for the purpose of visually emphasizing two or more preference attributes regarding a program simultaneously (col. 9, ll. 35-42).

Consequently it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the system of Lemmons '768 and Lemmons '011 to include an overlapped portion of the portions displayed in different manners from each other is displayed in a further different display manner, as taught by Lemmons '011, for the purpose of visually emphasizing two or more preference attributes regarding a program simultaneously in a program guide displaying apparatus.

Art Unit: 2611

With regard to claim 8, Lemmons '768 discloses the program guide displaying apparatus according to claim 7 (see above), wherein said displaying device displays the first program table (100, fig. 3) and the second program table (200, fig. 7) such that the portion of each program (program description 114, fig. 3) within the first program table and the portion of each genre (search selection criteria 202, fig. 7) within the second program table are displayed in a common manner for each genre (i.e., using textual representations such as "Drama" and "Action", see figs. 3 and 7). Lemmons '768 fails to disclose that the genres are differentiated by color.

In analogous art, Lemmons '011 discloses an electronic programming guide system in which genres are differentiated by color (col. 5, ll. 17-24), for the purpose of allowing the user to quickly and easily recognize programming of a particular genre (col. 5, ll. 24-28).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Lemmons '768 to include the genres are differentiated by color, as taught by Lemmons '011, for the purpose of allowing the user to quickly and easily recognize programming of a particular genre in a programming guide displaying system.

With regard to claim 10, Lemmons '768 discloses the program guide displaying apparatus according to claim 7 (see above), wherein said displaying device displays the first program table (100, fig. 3) and the second program table (200, fig. 7) such that the portion of each program (program description 114, fig. 3), which satisfies the specific condition, is displayed in a manner different from that for the portion of each program which does not satisfy the specific condition (where a favorite channel is displayed before a channel which is not a favorite channel in a list sorted according to the favorite channel function, col. 17, ll. 49-55). Lemmons '768 fails to disclose that the portion of each program which satisfies the specific condition is displayed with a color different from that for the portion of each program which does not satisfy the specific condition.

Art Unit: 2611

In an analogous art, Lemmons '011 discloses each program which satisfies the specific condition (preference attribute) is displayed with a color different from that for the portion of each program which does not satisfy the specific condition (i.e., the preference attribute and its respective colors are associated as display criteria for use by the program guide, col. 5, ll. 17-24), for the purpose of providing visual emphasis to programming that meets the preferred criteria (col. 5, ll. 24-28).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Lemmons '768 to include each program which satisfies the specific condition is displayed with a color different from that for the portion of each program which does not satisfy the specific condition, as taught by Lemmons '011, for the purpose of providing visual emphasis to programming that meets the preferred criteria in a program guide display system.

With regard to claim 11, Lemmons '768 discloses the program guide displaying apparatus according to claim 7 (see above), wherein said displaying device displays the first program table (100, fig. 3) and the second program table (200, fig. 7) such that the portion of each program (program description 114, fig. 3), which satisfies the specific condition, is displayed in a manner different from that for the portion of each program which does not satisfy the specific condition (where a favorite channel is displayed before a channel which is not a favorite channel in a list sorted according to the favorite channel function, col. 17, ll. 49-55). Lemmons '768 fails to disclose that the portion of each program which satisfies the specific condition is displayed with a pattern different from that for the portion of each program which does not satisfy the specific condition.

In an analogous art, Lemmons '011 discloses each program which satisfies the specific condition (preference attribute) is displayed with a pattern different from that for the portion of each program which does not satisfy the specific condition (col. 5, ll. 17-24 & col. 7, ll. 49-52, e.g., "solid" or "striped"), for

Art Unit: 2611

the purpose of providing visual emphasis to programming that meets the preferred criteria (col. 5, ll. 24-28).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Lemmons '768 to include each program which satisfies the specific condition is displayed with a pattern different from that for the portion of each program which does not satisfy the specific condition, as taught by Lemmons '011, for the purpose of providing visual emphasis to programming that meets the preferred criteria in a program guide display system.

With regard to claim 12, Lemmons '768 discloses the program guide displaying apparatus according to claim 7, wherein said displaying device displays a first program table (100, fig. 3) and a second program table (200, fig. 7). Lemmons '768 fails to disclose that an overlapped portion of the portions displayed in different manners from each other is displayed in a further different display manner.

In an analogous art, Lemmons '011 discloses an overlapped portion of the portions displayed in different manners from each other (i.e., a program with two or more preference attributes, each associated with a different color, col. 9, ll. 43-50, e.g., one color associated with a particular genre, and another color associated with a particular actor) is displayed in a further different display manner (i.e., alternating stripes, or any other format for displaying two or more colors simultaneously, col. 9, ll. 55-58), for the purpose of visually emphasizing two or more preference attributes regarding a program simultaneously (col. 9, ll. 35-42).

Consequently it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Lemmons '768 to include an overlapped portion of the portions displayed in different manners from each other is displayed in a further different display manner, as taught by Lemmons '011, for the purpose of visually emphasizing two or more preference attributes regarding a program simultaneously in a program guide displaying apparatus.

With regard to claim 13, Lemmons '768 discloses a program guide displaying apparatus (set top box 70, fig. 1) and corresponding method comprising:

a program information obtaining device (set top box 70, fig. 1, detail, see fig. 2) for obtaining program information (col. 6, ll. 48-50) including information indicative of a program name (title, col. 6, ll. 13-16), a genre name (theme, col. 6, ll. 13-16), a start time (telecast time, col. 6, ll. 13-16), a length of a program (length of program cell, col. 7, l. 67 – col. 8, l. 6), a broadcasting channel (telecast call sign, col. 6, ll. 13-16), and a broadcasting date (col. 6, ll. 28-31) or respective one of a plurality of programs;

a setting device (favorite channel display mode, col. 17, ll. 47-49) for setting a specific condition with respect to at least one of a time and a channel of the program (used to designate one or more channels as “favorite” channels of the user, col. 17, ll. 47-49); and

a displaying device (display 84, fig. 2) for displaying a first program table (guide screen 100, fig. 3), in which a plurality of program information for the programs are displayed in a 2-dimension of a time axis (time bar 102) and a channel axis (channel bar 108) (col. 8, ll. 43-57), and a second program table (200, fig. 7), in which the plurality of program information for the programs are edited for each genre (search selection criterion, e.g., drama, action, science fiction, etc., col. 14, l. 65 – col. 15, l. 15), a cursor which is displayed as a form indicating a program and is moved freely (col. 10, ll. 23-34), and a summary information cell (description window, 504, fig. 10) which indicates a summary content selected program by the cursor (col. 19, ll. 25-40) such that a portion (program descriptions 114, fig. 3, which include textual representation of genre code, e.g., “Drama” and “Adv”) of each program within the first program table (100, figs. 3-6) and a portion (search selection criteria, 202) of each genre within the second program table are displayed in a common display manner which is differentiated for each genre (program descriptions 114 of first program table 100, and selection search criteria 202 of second program table 200, both display genre codes using textual representations such as “Drama”, “Action”, etc.) and that a portion

Art Unit: 2611

of each program which satisfies the specific condition (i.e., favorite channel) set by said setting device is displayed in a manner different from that for a portion of each program, which does not satisfy the specific condition set by said setting device (where a favorite channel is displayed before a channel which is not a favorite channel in a list sorted according to the favorite channel function, col. 17, ll. 49-55).

Lemmons '768 fails to disclose the common display manner that is differentiated for each genre, is a form of cells; and that the display manner that is differentiated for a program based on whether or not the program satisfies the condition set by said setting device is a display form.

In analogous art, Lemmons '011 discloses an electronic programming guide system in which a common display manner, which is differentiated for each genre, is a form of cells (genres are differentiated by color, col. 5, ll. 17-24); and a display manner that is differentiated for a program based on whether or not the program satisfies the specific condition (e.g., PPV channel, fig. 10) set by said setting device is a display form (color, "brown" for PPV channel, see fig. 10), for the purpose of allowing the user to quickly and easily recognize programming of a particular genre or satisfying a particular condition set by the user (col. 5, ll. 24-28).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the display manner of Lemmons '768 to include a form of cells; and that the display manner that is differentiated for a program based on whether or not the program satisfies the condition set by said setting device is a display form, as taught by Lemmons '011, for the purpose of allowing the user to quickly and easily recognize programming of a particular genre or satisfying a particular condition set by the user in a programming guide displaying system.

With regard to claim 14, Lemmons '768 discloses a program guide displaying apparatus (set top box 70, fig. 1) and corresponding method comprising:

Art Unit: 2611

a program information obtaining device (set top box 70, fig. 1, detail, see fig. 2) for obtaining program information (col. 6, ll. 48-50) including information indicative of a program name (title, col. 6, ll. 13-16), a genre name (theme, col. 6, ll. 13-16), a start time (telecast time, col. 6, ll. 13-16), a length of a program (length of program cell, col. 7, l. 67 – col. 8, l. 6), a broadcasting channel (telecast call sign, col. 6, ll. 13-16), and a broadcasting date (col. 6, ll. 28-31) or respective one of a plurality of programs;

a setting device (favorite channel display mode, col. 17, ll. 47-49) for setting a specific condition with respect to at least one of a time and a channel of the program (used to designate one or more channels as “favorite” channels of the user, col. 17, ll. 47-49); and

a displaying device (display 84, fig. 2) for displaying a first program table (guide screen 100, fig. 3), in which a plurality of program information for the programs are displayed in a 2-dimension of a time axis (time bar 102) and a channel axis (channel bar 108) (col. 8, ll. 43-57), and a second program table (200, fig. 7), in which the plurality of program information for the programs are edited for each genre (search selection criterion, e.g., drama, action, science fiction, etc., col. 14, l. 65 – col. 15, l. 15), such that a portion (program descriptions 114, fig. 3, which include textual representation of genre code, e.g., “Drama” and “Adv”) of each program within the first program table (100, figs. 3-6) and a portion (search selection criteria, 202) of each genre within the second program table are displayed in a common display manner which is differentiated for each genre (program descriptions 114 of first program table 100, and selection search criteria 202 of second program table 200, both display genre codes using textual representations such as “Drama”, “Action”, etc.) and that a portion of each program which satisfies the specific condition (i.e., favorite channel) set by said setting device is displayed in a manner different from that for a portion of each program, which does not satisfy the specific condition set by said setting device (where a favorite channel is displayed before a channel which is not a favorite channel in a list sorted according to the favorite channel function, col. 17, ll. 49-55).

Lemmons '768 fails to disclose the common display manner, which is differentiated for each genre, is a form of cells; the display manner that is differentiated for a program based on whether or not the program satisfies the condition set by said setting device is a display form; and a genre color display portion of each program within the first program table, are prepared on a side of each program, the genre color display indicates the color of a genre of the program cell.

In analogous art, Lemmons '011 discloses an electronic programming guide system in which a common display manner, which is differentiated for each genre, is a form of cells (genres are differentiated by color, col. 5, ll. 17-24); a display manner that is differentiated for a program based on whether or not the program satisfies the specific condition (e.g., PPV channel, fig. 10) set by said setting device is a display form (color, "brown" for PPV channel, see fig. 10); and a genre color display portion of each program within the a program table, are prepared on a side of each program (see fig. 7; where a genre color fills a program cell, a side of the program cell is prepared with said genre color display), the genre color display indicates the color of a genre of the program cell, for the purpose of allowing the user to quickly and easily recognize programming of a particular genre or satisfying a particular condition set by the user (col. 5, ll. 24-28).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the display manner of Lemmons '768 to include a form of cells; the display manner that is differentiated for a program based on whether or not the program satisfies the condition set by said setting device is a display form; and a genre color display portion of each program within the first program table, are prepared on a side of each program, the genre color display indicates the color of a genre of the program cell, as taught by Lemmons '011, for the purpose of allowing the user to quickly and easily recognize programming of a particular genre or satisfying a particular condition set by the user.



With regard to claim 15, Lemmons '768 discloses a program guide displaying apparatus (set top box 70, fig. 1) and corresponding method comprising:

a program information obtaining device (set top box 70, fig. 1, detail, see fig. 2) for obtaining program information (col. 6, ll. 48-50) including information indicative of a program name (title, col. 6, ll. 13-16), a genre name (theme, col. 6, ll. 13-16), a start time (telecast time, col. 6, ll. 13-16), a length of a program (length of program cell, col. 7, l. 67 – col. 8, l. 6), a broadcasting channel (telecast call sign, col. 6, ll. 13-16), and a broadcasting date (col. 6, ll. 28-31) or respective one of a plurality of programs;

a setting device (favorite channel display mode, col. 17, ll. 47-49) for setting a specific condition with respect to at least one of a time and a channel of the program (used to designate one or more channels as “favorite” channels of the user, col. 17, ll. 47-49); and

a displaying device (display 84, fig. 2) for displaying a first program table (guide screen 100, fig. 3), in which a plurality of program information for the programs are displayed in a 2-dimension of a time axis (time bar 102) and a channel axis (channel bar 108) (col. 8, ll. 43-57), and a second program table (200, fig. 7), in which the plurality of program information for the programs are edited for each genre (search selection criterion, e.g., drama, action, science fiction, etc., col. 14, l. 65 – col. 15, l. 15), such that a portion (program descriptions 114, fig. 3, which include textual representation of genre code, e.g., “Drama” and “Adv”) of each program within the first program table (100, figs. 3-6) and a portion (search selection criteria, 202) of each genre within the second program table are displayed in a common display manner which is differentiated for each genre (program descriptions 114 of first program table 100, and selection search criteria 202 of second program table 200, both display genre codes using textual representations such as “Drama”, “Action”, etc.) and that a portion of each program which satisfies the specific condition (i.e., favorite channel) set by said setting device is displayed in a manner different from that for a portion of each program, which does not satisfy the specific condition set by said setting device

Art Unit: 2611

(where a favorite channel is displayed before a channel which is not a favorite channel in a list sorted according to the favorite channel function, col. 17, ll. 49-55).

Lemmons '768 fails to disclose the common display manner that is differentiated for each genre, is a form of cells; the display manner that is differentiated for a program based on whether or not the program satisfies the condition set by said setting device is a display form; and wherein overlapped portions of each program within the first and second program tables are displayed in a manner differently from other portions.

In analogous art, Lemmons '011 discloses an electronic programming guide system in which a common display manner, which is differentiated for each genre, is a form of cells (genres are differentiated by color, col. 5, ll. 17-24); a display manner that is differentiated for a program based on whether or not the program satisfies the specific condition (e.g., PPV channel, fig. 10) set by said setting device is a display form (color, "brown" for PPV channel, see fig. 10); for the purpose of allowing the user to quickly and easily recognize programming of a particular genre or satisfying a particular condition set by the user (col. 5, ll. 24-28); and , wherein overlapped portions of each program (i.e., a program with two or more preference attributes, each associated with a different color, col. 9, ll. 43-50) are displayed in a manner differently from other portions (alternating stripes, or any other format for displaying two or more colors simultaneously, col. 9, ll. 55-58), for the purpose of visually emphasizing two or more preference attributes regarding a program simultaneously (col. 9, ll. 35-42).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the display manner of Lemmons '768 to include a form of cells; the display manner that is differentiated for a program based on whether or not the program satisfies the condition set by said setting device is a display form; and wherein overlapped portions of each program within the first and second program tables are displayed in a manner differently from other portions, as taught by Lemmons '011, for the purpose of allowing the user to quickly and easily recognize

Art Unit: 2611

programming of a particular genre or satisfying a particular condition set by the user and visually emphasizing two or more preference attributes regarding a program simultaneously in a programming guide displaying system.

Art Unit: 2611

### ***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

9. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

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Art Unit: 2611

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Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher M Lambrecht whose telephone number is (571) 272-7297. The examiner can normally be reached on 9:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the primary examiner, Christopher Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christopher M Lambrecht  
Examiner  
Art Unit 2611

CML

  
HAI TRAN  
PRIMARY EXAMINER

